## UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF NORTH CAROLINA File No. 1:12-CV-1349

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)	
)	
)	MOTION TO EXCLUDE
)	TESTIMONY BY UNDISCLOSED
)	WITNESSES
)	
)	
	) ) ) ) )

NOW COMES the Defendant, Terry S. Johnson, pursuant to Fed. R. Civ. P. 37(c)(1), and moves the court to exclude the testimony of Blanca Nienhaus, Erik Meijia, and Roberto Cesar Garcia-Rico as none of the witnesses have been disclosed as required by Fed. R. Civ. P. 26(a)(1). The Plaintiff has also failed to include any contact information for Blanca Nienhaus or Erik Meijia as required by Fed. R. Civ. P. 26(a)(3)(A)(i).

This the 29<sup>th</sup> day of June, 2014.

Turrentine Law Firm, PLLC

by: /s/ Karlene S. Turrentine
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## CERTIFICATE OF SERVICE

I, S. C. Kitchen, hereby certify that on June 26, 2014, I filed this document with the U.S. District Court's electronic Filing (ECF) system, which will serve a copy by email to counsel, and further that for counsel who are not listed in the ECF system, I served a copy of the foregoing document on the counsel in this action by placing the same in the United States Mail, postage affixed:

Michael J. Songer U. S. Department of Justice 950 Pennsylvania Ave., N.W. Washington, DC 20530 Email: michael.songer@usdoj.gov

C. Amanda Martin 1101 Haynes Street, Suite 100 Raleigh, North Carolina 27604-1455 Email: amartin@smvt.com

This the 29<sup>th</sup> day of June, 2014.

Turrentine Law Firm, PLLC

by: /s/ S. C. Kitchen

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